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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Busby et al.

Serial No.: 09/487,558

Examiner: K. Davis

Filed: January 19, 2000

Group Art Unit: 1636

Entitled: METHODS FOR IMPROVING SECONDARY
METABOLITE PRODUCTION IN FUNGI

Attorney

Docket No.: MIC-001CP (1003/002)

Katherine F. Davis

Art Unit 1636

U.S. Patent & Trademark Office

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STATEMENT PURSUANT TO 37 C.F.R. §§ 1.821 – 1.825

Sir:

I, Wayne A. Keown, declare as follows:

Transmitted herewith is a "Sequence Listing" in the form of three (3) copies of a CD-Rom, as allowed in the changes to 37 C.F.R. §§ 1.821-1.825, as published in the Federal Register on September 8, 2000. The three copies of the CD-ROM are intended to serve as:

- (1) a compact disc copy of the Sequence Listing for the above-identified patent application as required by 37 C.F.R. § 1.821(c) ("Copy 1"), the disc containing the ASCII file named "MIC001USPTN.ST25", created on February 19, 2002, and of 1,834 kilobytes in size;
- (2) a duplicate copy of the compact disc of the Sequence Listing as required by 37 C.F.R. § 1.52(e)(4) ("Copy 2"), the disc containing the ASCII file named "MIC001USPTN.ST25", created on February 19, 2002, and of 1,834 kilobytes in size; and

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- (3) a compact disc of the Sequence Listing in computer-readable form as required by 37 C.F.R. § 1.821(e) ("Copy 3"), the disc containing the ASCII file named "MIC001USPTN.ST25," created on February 19, 2002, and of 1,834 kilobytes in size.

As required by 37 C.F.R. § 1.821(f), Applicants' representative hereby states that the contents of the "Sequence Listing" on all three CD-ROMs are identical and, as required by 37 C.F.R. § 1.821(g), also states that the submission includes no prohibited new matter.

Respectfully submitted,

Dated: 2/19/02



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